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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,917	06/26/2003	Taymoor Arshi	110466-152115	7064
59796	7590	09/04/2007	EXAMINER	
INTEL CORPORATION c/o INTELLEVATE, LLC P.O. BOX 52050 MINNEAPOLIS, MN 55402			SHAYANFAR, ALI	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/608,917

Applicant(s)

ARSHI ET AL.

Examiner

Ali Shayanfar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,7,10-12,16 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7,10-12,16 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is responsive to amendment filed on June 20, 2007. Claims 1-3, 7, 10-12, 16, 20-24 are pending in the application. Claims 1-3, 7, 10-12 and 16 have been amended. Claims 4-6, 8-9, 13-15, 17-19 have been canceled. Claims 20-24 have been added.

Response to Arguments

With regards to the Applicant's remarks filed on June 20, 2007:

1. Regarding the rejection of the claims 1- 2, 7, 10-12 under U.S.C. 102(e) as being anticipated by Itoh, Applicants' arguments have been fully considered, and they are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejection are made in view of newly discovered references.

Regarding to Claim 1, applicants argued that ***"Itoh can not be said to disclose, at a minimum, submitting, by a local e-mail client, at least an indicator of a distribution list and of the subtractive list to an e-mail server so that the e-mail server may determine the modified distribution list."***

(AC)

This argument is persuasive.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7, 10-12, 16, 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi Itoh (US 2002/0107930 A1) further in view of Yabe et al (US 2003/0182380 A1)

As to claims 12 and 1, Itoh shows a machine-accessible media having associated data for distributing from an email client an email message to selected members of a distribution list(Fig. 8,112,114, Fig. 9, 202, 206, 207), comprising:
addressing, using the email client, the email message to the distribution list;(Fig. 8, Fig 10, 8);

selecting, using the email client, a subtractive list, which when applied to the distribution list, determines a modified distribution list comprising members of the distribution list not present in the subtractive list (Par[0025,0026,0032,0103,0119,0120], Fig.6, Fig.7, Fig.8,143, Fig. 9, 207, Fig.10);

submitting, by the email client, at least an indicator of the pre-determined distribution list and an indicator to the subtractive list. (Fig.8,114, 131).

Itoh does not show distributing an email message via an email server.

Yabe shows distributing an email message via an email server.(Fig. 1, Fig. 6)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Itoh by distributing an email message via an email server as taught by Yabe in order to deliver the message to indented recipient.

As to claim 2, Itoh in view of Yabe shows distributing by the email server(Fig 6, Yabe), the email message to the members of the modified distribution list. (Par[0068], Fig,1, 20,21, Itoh). The email server 25 (Fig. 6, Yabe) will forward the electronic message to the mailbox corresponding of the email address of a recipient in each group, which in this case the group can be a modified distribution list, as taught by Itoh.

As to claim 3, Itoh in view of Yabe shows applying, by the email server(Fig. 6, Yabe), subtractive list to the distribution list to determine the modified distribution list. (Fig.9, Itoh).

As to claim 7, Itoh in view of Yabe shows the distribution list is a selected one of: a manually created list, or an automatically generated list identifying members sharing a common characteristic.(Fig. 9, 207, Itoh). For example Football Club (A) is a group of individual who has common characteristic.

As to claims 23 and 10 Itoh in view of Yabe shows, machine-accessible media having associate data for distributing from an email client an email message to selected

members of distribution list(Fig 8, 114, Itoh) via an email server (Fig. 6, Yabe), wherein the data, when accessed, results in a machine performing:

receiving from the email client, by the email server (Fig 6, S8, Yabe), an email message addressed to a first indicator for a distribution list (Fig 8, 114, Itoh);

receiving from the email client, by the email server(Fig 6, S8, Yabe), a second indicator for a subtractive list, (Fig.8, 116, Itoh); which when applied to the distribution list, determines a modified distribution list comprising members of the distribution list not present in the subtractive list;(Fig.8, 143, Itoh)

and distribute the email message to each member of the modified distribution list(Fig.9, 206, Itoh).

As to claims 24 and 11 Itoh in view of Yabe shows first identifying, by the email server,(Fig. 6, Yabe) based at least in part on the first indicator, the member of the distribution list (Fig10, Itoh).

second identifying, by the email server(Fig. 6, Yabe), based at least in part on the second indicator, the member of the subtractive list (Fig.10, e, Fig.8, 116, Itoh) and

determining, by the email server(Fig. 6, Yabe) the modified distribution list based at list in part on membership of the distribution list and the subtraction list (Fig.7, 207, Itoh).

As to claim 16, Itoh in view of Yabe shows machine-accessible media further include data, when accessed, results in the machine performing(Fig.2, Fig.8, Itoh):

receiving by the email client from the remote email server (Fig 6, server 25, Yabe) an indicator of modified distribution list. (Fig 9, 201, 202, 206, Itoh).

Itoh in view of Yabe does not show automatically re-addressing, by the email client the email message to the modified distribution list.

However, the examiner takes official notice that it is old and well known in the art to provide a web-based email service (e.g., Hotmail, Yahoo) so that it is capable of automatically re-addressing the email message the modified distribution list. It is further noted that in such an argument, the mail manipulation occurs in the server instead of client.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Itoh in view of Yabe by providing the capability of distribution operation and re addressing the email automatically.

By adding this feature user will just select different kind of operation which is desired in a GUI interface and the operation will be done in the server just like other web based application such as Mailman, and Yahoo Email mechanism. This will also decrease the use of memory in the user side station.

As to claim 20, Itoh in view of Yabe shows an electronic-mail (e-mail) method for distributing an e-mail message to selected members of first and second distribution lists(Fig. 8, Itoh), comprising:

addressing the e-mail message to the first and the second distribution lists;(Fig. 8, 114(first list), 116 (second list), Itoh).

and selecting a subtractive list, which when applied to the first and the second

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distribution lists, determines a modified distribution list comprising members of the first and the second distribution lists that are members of both the first and the second distributions lists.(Fig.8, 114, Itoh)

As to claim 21, Itoh in view of Yabe shows the modified distribution list comprises only those members that are members of both the first and the second distribution lists and that are also present in the subtractive list (Fig.9, 206, Itoh).

As to claim 22, Itoh in view of Yabe shows the modified distribution list comprises only those members that are members of both the first and the second distribution lists and that are not present in the subtractive list.(Fig.7, Itoh)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Shayanfar whose telephone number is 571-272-9739. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ali Shayanfar



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER